

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DOMINIQUE ROBERTS,	)	CASE NO: 5:16 cv 01078
	)	
	)	JUDGE: BENITA Y. PEARSON
Plaintiff,	)	
	)	
vs.	)	
	)	
SAMIA TRANSPORTATION INC., <i>et al.</i> ,	)	
	)	
	)	
Defendants.	)	

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MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

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Mark S. Fusco, Patricia F. Weisberg, John N. Neal, Sara R. Cooper, and the Law Firm of Walter | Haverfield LLP, 1301 East 9<sup>th</sup> Street, Suite 3500, Cleveland, Ohio 44114 hereby move for leave to withdraw as counsel for Defendants, Samia Transportation, Inc. and Samia Hassan, pursuant to Local Rule 83.9.

As grounds for this Motion, counsel state that Defendants have failed substantially to fulfill an obligation, financial and otherwise, to counsel regarding counsels' services and have been given reasonable warning that counsel will withdraw unless the obligations are fulfilled. The undersigned counsel is permitted to seek withdrawal, and Defendants consent to the same, under the terms of Defendants' legal services engagement letter.

In addition, Defendants have materially failed to communicate with regard to matters involving the defense of the case, and have not responded to several attempts at contact despite established methods for reaching one another. Defendants' conduct threatens counsels' ability to represent Defendants' interests within the bounds of counsels' professional obligations, which

shall only exacerbate as the case continues. Taking these facts on the whole, the relationship of trust and confidence that is the foundation of the attorney-client relationship has been impaired by Defendants' actions.

The Court may take note that counsels' withdrawal will not burden the litigants in this lawsuit as the case was only recently filed and discovery has only recently commenced.

A copy of this Motion was sent by electronic mail and by Federal Express mail and emailed to Defendants on September 26, 2016.

For all of the foregoing reasons, Mark S. Fusco, Patricia F. Weisberg, John N. Neal, Sara R. Cooper and Walter | Haverfield LLP respectfully request that the Court grant their Motion to Withdraw, pursuant to Local Rule 83.9.

Respectfully submitted,

/s/ Mark S. Fusco

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Attorneys for Defendants

Samia Transportation Inc. and Samia Hassan

**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Mark S. Fusco  
Attorney for Defendants